

**AMENDMENT TRANSMITTAL LETTER**Docket Number  
EMS-07301Application Number  
10/802,489Filing Date  
March 16, 2004Examiner  
Nguyen, Than VinhGroup Art Unit  
2187

Invention Title

CONTINUOUS DATA BACKUP USING DISTRIBUTED JOURNALING

**TO THE COMMISSIONER FOR PATENTS**

Transmitted herewith is an amendment in the above-identified application, including:

- (X) Amendment and Response to Office Action  
(X) Amendment Transmittal (in duplicate)  
(X) Return Postcard

**CLAIMS AS AMENDED**

(1)		(2)		(3)		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	52		52	0	x \$ 50	\$ 0
INDEPENDENT CLAIMS	17	Minus	7	10	x \$200	\$ 2000
MULTIPLE DEPENDENT CLAIM ADDED					\$360	\$
					TOTAL	\$ 2000
If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL		\$	


\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the highest number previously paid for IN THIS SPACE is less than 20, enter "20."

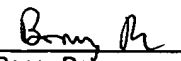
\*\*\* If the highest number previously paid for IN THIS SPACE is less than 3, enter "3."

The "highest number previously paid for" (total or independent) is the highest number found in the appropriate box in column 1.

- (X) Please charge **Deposit Account Number 050889** in the amount of \$2000. A duplicate copy of this sheet is enclosed.
- ( ) A check in the amount of \$\_\_\_\_\_ to cover the filing fee is enclosed.
- (X) Please credit any overpayment and/or charge any additional filing fees required under 37 CFR §§ 1.16 and 1.17 to our **Deposit Account Number 503596**.

  
Anne E. Saturnelli, Reg. No. 41,290  
August 9, 2006  
Date

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 9, 2006.

  
Bonny Rogers

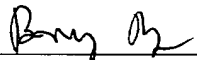


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Oliveira et al. :  
Serial No.: 10/802,489 : Examiner: Nguyen, Than Vinh  
Filed: March 16, 2004 : Art Unit: 2187  
For: CONTINUOUS DATA BACKUP : Atty. Docket: EMS-07301  
USING DISTRIBUTED :  
JOURNALING :

**Certificate of Mailing**

I hereby certify that the foregoing document is being deposited with the United States Postal Service, postage prepaid, first class mail, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the 9<sup>th</sup> day of August 2006.

  
Name: Bonny Rogers

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This paper is being provided in response to the Office Action dated May 11, 2006, for the above-captioned U.S. patent application.

**Amendments to the Claims** are reflected in the listing of claims which begin on **Page 3** of this paper.

**Remarks/Arguments** begin on **Page 25** of this paper.

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01 FC:1201 2000.00 DA

It is not believed that extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required for consideration of this paper (including fees for net addition of claims) are authorized to be charged in two originally-executed copies of an Amendment Transmittal Letter filed herewith.